S.B. CIVIL WRIT PETITION NO.7210/2007

Shree Lal.
vs.
Addl. District Judge No.2, Bhilwara and ors.

Date : 2.11.2007

HON'BLE MR. PRAKASH TATIA, J.

Mr.R Bhansali, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner is aggrieved against the order dated 1.10.2007 by which the trial court rejected the petitioner's application under Order 6 Rule 17 CPC. By this application, the petitioner sought amendment in the written statement to take objection about non-joinder of the necessary parties.

It appears from the reasons given in the impugned order that the objection about non-joinder of the necessary parties was sought to be taken after a delay of 3 years as the written statement was filed on 16.10.2003 and amended application was submitted by the defendant after the closure of the plaintiff's evidence.

In view of the above, I do not find any reason to interfere in the impugned order while exercising the jurisdiction under Article 227 of Constitution of India.

Consequently, this writ petition having no force, is hereby dismissed.

(PRAKASH TATIA), J.

S.Phophaliya